

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MISSOURI
KANSAS CITY DIVISION**

IN RE:

Deborah Crawley

) **CASE NO. 07-40837-abf-13**
) **IN PROCEEDINGS FOR**
) **A PLAN UNDER**
) **CHAPTER 13**
)

Debtor(s).

**TRUSTEE'S MOTION TO SET ASIDE ORDER GRANTING TRUSTEE'S
MOTION TO DEPOSIT FUNDS INTO THE COURT REGISTRY**

COMES NOW Richard V. Fink, Chapter 13 Trustee, and requests that the Court set aside it's Order Granting the Trustee's Motion to Deposit Funds into the Court Registry entered on May 22, 2009, as CM/ECF document #73, and in support thereof states:

1. The Debtor filed the above styled proceeding under the provisions of Chapter 13 of the Bankruptcy Code on March 21, 2007.
2. The case was dismissed on February 27, 2009 for failure to file a confirmable plan.
3. On or about April 13, 2009, the trustee's office mailed a refund check to the debtor in the amount of \$2,250.00, to 18395 S. Glenwood, Independence, Missouri, 64052.
4. On or about April 24, 2009, the check was returned to the trustee's office as undeliverable with no forwarding address.
5. On or about April 30, 2009, the trustee filed an Application to Deposit Funds into the Court Registry in the amount of \$2,250.00.
6. On May 22, 2009, the Court entered an Order Granting Trustee's Motion to Deposit Funds into the Court Registry.

7. On June 2, 2009, the debtor contacted the trustee's office and has agreed to provide the trustee's office with her new address.

WHEREFORE, based on the foregoing, the Trustee requests that the Court enter an Order setting aside its May 22, 2009, Order Granting Trustee's Motion to Deposit Funds into the Court Registry, and for such relief as the court deems appropriate.

Respectfully submitted,

Dated: June 3, 2009

/s/ Richard V. Fink, Trustee

Richard V. Fink, Trustee
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Kansas City, MO 64106-1901
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NOTICE OF MOTION

Any response to this motion must be filed within 20 days of the date of this notice with the Clerk of the United States Bankruptcy Court. Documents can be filed electronically at <http://ecf.mowb.uscourts.gov>. A copy of such response will be served electronically by the Court on the Chapter 13 Trustee and all other parties to the case who have registered for electronic filing. If debtor's counsel is not registered for electronic filing, you must serve the response by mail. If a response is timely filed, a hearing will be held on a date and time determined by the Court. Notice of such hearing will be provided to all parties in interest. **If no response is filed within 20 days, the Court may enter an order sustaining the Trustee's motion to set aside order.** For information about electronic filing go to www.mow.uscourts.gov or call the Court's HELPLINE at 1-800-466-9302. If you have questions about this document, contact your attorney.

NOTICE OF SERVICE

Appropriate parties will be served by the Chapter 13 Trustee's office either electronically or by mail.

/s/ Richard V. Fink, Trustee

Castle Law
Debtor